

Government of Pakistan
Ministry of Commerce

Order

EXPORT POLICY and PROCEDURES ORDER 2000
S. R. O. 482(I)/2000 dt: 11.7.2000

In exercise of the powers conferred by sub-section (1) of section 3 of the Imports and Exports (Control) Act, 1950 (XXXIX of 1950), the Federal Government is pleased to make the following Order, namely: -

1. Short title and commencement:-

- (1) This Order may be called the Export Policy and Procedures Order 2000.
- (2) It shall come into force at once.

2. Definitions.- In this Order, unless there is any thing repugnant to the subject or context,-

- (a) "Act" means the Imports and Exports (Control) Act 1950 (XXXIX of 1950);
- (b) "Appendix" means and Appendix to this Order;
- (c) "exporter" means a person or entity holding valid registration as exporter under the Registration (Importers and Exporters) Order, 1993;
- (d) "gift parcels" means goods being sent abroad through post or courier service as gift;
- (e) "prescribed" means prescribed by rules under the Act or under this Order;

(f) "sample" means goods in limited quantity clearly identifiable as such and of no commercial value.

3. Eligibility. - The following are eligible to export under this Order, namely:-

- (a) exporters;
- (b) Federal, Provincial and local Governments and public sector agencies;
- (c) those exempted in terms of paragraph 10 of Registration (Importers and Exporters) Order 1993;
- (d) individuals or entities sending gifts; and
- (e) such other persons or bodies as may be authorized by the Ministry of Commerce.

4. Basis of Exports. - Exports from Pakistan shall be made under the foreign exchange rules, regulations and procedures notified by the State Bank of Pakistan from time to time and submission of such documents as may be prescribed.

5. Export of goods. - (1) Export of all goods shall be allowed except those specified in Schedule-I to this Order. Export of goods specified in Schedules II and III to this Order shall be subject to the conditions given there in.

2. The provisions of this Order shall not apply to:-

- (a) any goods constituting the stores or equipment or machinery parts and kitchenette of any outgoing vessel, conveyance or air line or the bonafide accompanied baggage of the crew or of the passengers in such vessel or conveyance or air line;

Provided that banned or restricted items shall not be allowed unless otherwise authorized;

- (b) any goods trans-shipped at a port in Pakistan after having been manifested for such trans-shipment at the time of despatch from a port outside Pakistan;
- (c) any goods, stores or equipment when sold abroad on Government to Government basis and exported under an export authorisation issued by the Director General of Defence Purchase or by any other officer authorized by the Ministry of Defence in this behalf;
- (d) export of samples subject to the following conditions, namely:-
 - (i) that the export of such goods is not banned,
 - (i) the fob value does not exceed US\$ 5000 or equivalent per exporter per annum
 - (ii) the samples are supplied free of charge:

Provided that leather garment manufacturers shall be entitled to export fifty samples per annum, irrespective of monetary value

Provided further that the monetary and quantitative ceilings shall not be applicable if the samples are exported in a mutilated form;

- (e) export of gift parcels of a value not exceeding ten thousand rupees;

- (f) export of relief goods to any part of the world by the Cabinet Division (Relief Cell), Government of Pakistan;
- (g) bona fide baggage of persons travelling outside Pakistan;
- (h) persons travelling outside Pakistan who may take with them as accompanied baggage, goods without any restriction of quantity, or any requirement of encashment certificates provided that such goods do not include items listed at Schedules I & II and that in respect of items of Schedule III the prescribed conditions have been met.

(3) Transit and Border Trade shall be allowed under the procedure prescribed therefore.

6. **Special Dispensation.** Federal Government may for the reasons to be recorded in writing allow exports in relaxation of the provisions of this Order.

7. **Export authorization and its validity.** The Ministry of Commerce shall issue export, export cum import or re-export authorization for any item under the special dispensation provision of this Order which shall unless specified otherwise, be valid for a period of six months.

8. **Exports to Afghanistan.** Export of all commodities produced or manufactured in Pakistan, excluding those manufactured in manufacturing bonds, shall be allowed via land route to Afghanistan against Pak-rupees on filing of regular shipping bills without From 'E'. These exports shall not be entitled to any duty drawback and zero rating of sales tax. Exports to Afghanistan and via Afghanistan to the Central Asian Republics effected against advance payment or an irrevocable letter of credit issued by some recognized bank in foreign currency shall be allowed duty drawback as per prevailing schedule subject to a maximum of 7.5% of the

F.O.B value without zero rating of sales tax. Normal duty drawback shall remain available on exports to Central Asian Republics via Iran.

9. **Export-cum-import.** - (1) Imported items may be exported for purposes of repairs, or refilling of cylinders/ISO tanks subjects to submission of indemnity bond to Customs Authorities assuring that goods being exported shall be re-imported after repairs or refilling. Production of bill of entry shall not be required in cases where there is certification from the foreign supplier or manufacturer that the goods or parts specified in the certificate are being imported by them for purposes of repairs.

(2) Export-cum-import of defective goods or parts for replacement shall be allowed upon production of certificate from the supplier or manufacturer that the goods or parts being replaced are covered by the terms of warranty.

(3) Export-cum-import of vehicles shall be allowed for purposes of travelling abroad, on the basis of carnet de passage issued by Automobile Association of Pakistan, or a guarantee issued by Pakistan Traspost Mutual Assistance Co-operative Society Ltd., or an indemnity bond furnished by the owner of the vehicle.

10. **Re-export of Goods or items (except banned items as per Schedule-I of this Order).** -

Export of imported goods in their original and unprocessed form shall not be allowed except:-

- (1) parts obtained from ship breaking;
- (2) scrapped battery cells;
- (3) waste dental amalgam;
- (4) waste exposed X-ray films;

- (5) old machinery provided no refund of import levies or duty draw back shall be made;
- (6) items imported against back to back letter of credit for re-export subject to the procedure and conditions notified by the State Bank of Pakistan;
- (7) imported goods in their original and unprocessed form provided that-
 - (a) their re-export F.O.B price is higher at least by 2.5% (in case of re-export to Central Asian Republics by at least 3%) than the imported C&F price and the condition of value addition will not be applicable in the following cases, namely:-
 - (i) the manufacturer-cum-exporter imported goods with the condition that payment will be made on quality approval and the quality of goods is not approved;
 - (ii) the manufacturer-cum-exporter imported goods which partially consumed in the manufacture of goods for export and the balance remained un-utilized due to quality inspection and damage or the balance goods could not be disposed of locally due to brand conditionalities; and
 - (iii) goods imported under various duty free schemes meant for exports could not be consumed due to cancellation of export order;
 - (b) re-export is made against sight letter of credit or advance payment; and
 - (c) payment of full duties if re-exported through land routes.

11. Replacement of exported goods.- Customs authorities shall allow Pakistani exporters to replace the exported goods found defective during warranty period subject to the following namely:-

- (a) copy of contract showing warranty period.
- (b) any communication from foreign importer to the effect that certain goods from the exported consignment have been found defective.

12. Export of Chemicals etc.- (1) Under the Chemicals Weapons Convention, the chemicals which can be used for industrial sector as well as for production of chemical weapons, have been defined as Scheduled Chemicals and listed as Schedule-1, 2 and 3 chemicals thereunder.

(2) Schedule 1 chemicals, listed in Appendix "A" have least commercial use and hence cannot be exported to States not party to the convention and hence export of these chemicals has been restricted under the Export Policy and Procedures Order, 2000. Schedule 2 and Schedule 3 chemicals listed in Appendix "B" and "C" respectively, are widely used in the commercial sector and can be exported to States not party to the Convention with the following restrictions, namely:-

- (a) Chemical specified in Schedule 2 and Schedule 3 shall be exported to States not party to the Convention after the 29th April, 2000 and the 29th April, 2002, respectively; and
- (b) during the interim period, export of chemicals specified in Schedule 2 and Schedule 3 to State not party to the Convention shall be subject to production of end-use certificate by the recipient State stating therein the following particulars in relation to the transferred chemicals namely:-
 - (i) that they shall only be used for purposes not prohibited under the Convention;
 - (ii) these shall not be re-transferred;
 - (iii) their types and quantities; and
 - (iv) the name(s) and address(es) of the end-user(s); and
- (3) For such transfers, importing country shall adopt the necessary measures to ensure that the transferred chemicals shall only be used for purposes not prohibited, under the Convention. Forms T20 and T30 attached as Appendices "D" and "E" respectively shall be completed by the Recipient

State and by the end user(s) before importing these chemicals from Pakistan. Detailed instructions with regard to filling and disposal of these forms are covered in Appendices "F" & "G"

13. Contravention of the Act.- Any export made without compliance with the requirements of this Order or made on the basis of the false or incorrect particulars shall be deemed to have been made in contravention of the provisions of the Act.

14. Repeal.- The Export Policy Order 1999, and the Import-Export Procedure Order, 1999, are hereby repealed.

SCHEDULE I
(See paragraph 5(1))

S.No:	Description	Exceptions
(1)	(2)	(3)
1	Intoxicants and intoxicating liquors defined in the Prohibition, (Enforcement of Hadd) Order, 1979 (P.O.4 of 1979)	Export of any intoxicant or article containing intoxicating liquor under the licenses for bonafide medicinal or other purposes issued under the Prohibition (Enforcement of Hadd) Order, 1979 (P.O. of 1979).
2.	Appendix I and II wildlife species of the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES) and all animals, mammals, reptiles and endemic birds	<p>(a) National Council for Conservation of Wildlife (NCCW) is authorized to issue NOC for export for the following purpose, namely:-</p> <ul style="list-style-type: none"> (i) Research; and (ii) trophies from community managed conservation areas. <p>(b) Exotic/endemic captive bred birds subject to production of</p>

	protected under any Provincial Wildlife Act.	NOC and mandatory checking by the Provincial Wildlife Department at the airports or exit points.
3.	Charcoal and firewood	-
4.	Wood and Timber	-
5.	Fissionable material	-
6.	Anti Personnel Landmines (APLS)	-
7.	Antiquities	Old vehicles and aircrafts not falling within the definition of antiquities.
8.	Chemicals (as per details in Appendix 'A' to this Order).	Export to States or countries which have ratified the Chemical Weapons Convention as per procedure given in paragraph 12 of Order.
9.	Edible oil	Export of all edible oils in bottles or other consumer packs provided there is value-addition of 15% for edible uses in packs upto 5 liters and 50% value addition for non-edible uses in packs upto ½liter.
10.	Counterfeit products	-

SCHEDULE II

COMMODITIES WHOSE EXPORT IS ALLOWED THROUGH PUBLIC SECTOR AGENCIES ONLY

Sr.	Description	Exceptions
(1)	(2)	(3)
1.	Petroleum and petroleum products	(i) Mineral turpentine when it is to accompany and form part of paints and varnishes exported. (ii) Finished lubricants in blended

		form. (iii) Surplus lube base oil, petrochemicals, slack wax, asphalt (bitumen) and naphtha.
--	--	---

SCHEDULE III
(See paragraph 5(1))

Export of the following goods or animals will be allowed subject to conditions, procedure and formalities prescribed against each:-

<u>S.No</u>	<u>Item/Goods</u>	<u>Conditions/Procedure/Formalities</u>
(1)	(2)	(3)
1.	Wheat and its milling products	As per procedure and conditions laid down by Ministry of Food, Agriculture and Livestock
2.	Cotton.	<p>1. Export contract registration with EPB against security deposit of 2% of the contract value and presentation of the same before customs authorities with shipping documents alongwith cotton grading and classification certificate issued by the Pakistan Cotton Standards Institute.</p> <p>2. An irrevocable letter of credit shall be opened by the buyers within thirty-five (35) days and the shipment of contracted quantity shall be completed within one hundred and eighty (180) days of the registration of contract. In case letter of credit is not opened within the stipulated time or non-performance of the contract the security deposit shall be forfeited by the State Bank of Pakistan proportionate to the quantity not-shipped.</p>
3.	Rice	Registration of Export contracts with EPB and Pre-shipment Inspection of

		consignments under the Quality Related Inspection Systems notified by EPB.
4.	Metals	Export of metals by foreign enterprises will be governed by a special mechanism identified by Ministry of Petroleum & Natural Resources for checking the prices etc.
5.	Arms, ammunition explosives and ingredients thereof	NOC from Ministry of Defence (Defence Production Division)
6.	Complete Rocket and Unmanned Air Vehicle Division (UAV) systems and their parts.	NOC from Ministry of Defence (Defence Production Division)
7.	Nuclear substances, radioactive material and items covered by the Pakistan Nuclear Safety and Radiation Protection Ordinance, 1984 (IV of 1984).	As per procedure notified by Pakistan Atomic Energy Commission.
8.	Equipment used for production, use or application of nuclear energy including generation of electricity.	- do -
9.	Precious and semi-precious stones and gold jewellery.	As per special procedure notified vide S.R.O 131(KE)/96 dated the 22 nd November, 1996.
10.	Poppy seeds.	Export of imported Poppy seeds shall be allowed if imported from the countries where Opium Poppy is grown licitly in accordance with the provisions of Single Convention.
11.	Urea	Export of Urea will be allowed subject to export contract registration with EPB.

12.	Pet dogs and cats.	Export of pet dogs and cats shall be allowed on issuance of Quarantine Certificate about health and caging by the Animal Plant Quarantine Department.
13.	Wild Boars its meat and skin.	Export of wild boars, its meat and skin shall be permissible only by the non-Muslim registered exporters.

Appendix 'A'
See paragraph 12(2)

SCHEDULE 1 CHEMICALS

Chemicals	<u>CAS Registry Number</u>
1	2
A. Toxic Chemicals	
1. O-Alkyl (C10, incl.cycloalkyl)alkyl(Me,Et,n -Pr or i-Pr) phosphonofluoridates e.g. Sarin : O-Isopropyl methylphosphonofluoride Soman: O-Pinacolyl methylphosphonofluoride	(107-44-8) (96-64-0)
2. O-Alkyl (C10, incl.cycloalkyl)N, N -dialkyl (Me, Et, n-Pr or i-jPr) phosphoramidocyanides e.g. Tabun : O-Ethyl N, N-dimethylphosphoramidocyanide	(77-81-6)
3. O-Alkyl (H or C10, incl.cycloalkyl)S-2-dialkyl (Me,Et, n-Pr or-i-Pr)-corresponding alkylated or protonated salts: e.g. VX: O-Ethyl S-2-diisopropylaminoethylmethyl phosphonothiolate	(50782-69-9)
4. Sulphur mustards: 2-Chloroethylchloromethylsulfide Mustard gas: Bis (2-chloroethyl) sulphide Bis (2-chloroethylthio) methane Sesquimustard: 1,2-Bis (2-chloroethylthio)ethane) 1,3-Bis (2-chloroethylthio)-n-propane	(2625-76-5) (505-60-2) (63869-13-6) (3563-36-8) (63905-10-2)

1,4-Bis (2-chloroethylthio)-n-butane	(42868-93-7)
,5-Bis (2-chloroethylthio)-n-pentane	(42868-94-8)
is 2-chloroethylthiomethyl)ether	(63918-90-1)
-Mustard : Bis (2-chloroethylthioethyl)ether	(63918-89-8)
5. Lewisites:	
Lewisite 1: 2-Chlorovinyldichloroarsine	(541-25-3)
Lewisite 2: Bis(2-chlorovinyl)chloroarsine	(40334-69-8)
Lewisite 3: Tris(2-chlorovinyl)arsine	(40334-70-1)
6. Nitrogen mustards:	
HN1: Bis (2-chloroethyl)ethylamine	(538-07-8)
HN2: Bis (2-chloroethyl)methylamine	(51-75-2)
HN3: Tris (2-chloroethyl)amine	(555-77-1)
7. Saxitoxin	(35523-89-8)
8. Ricin	(9009-86-3)

B. Precursors

9. Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides e.g. DF: Methylphosphonyldifluoride	(676-99-3)
10. O-Alkyl (H or C10, incl.cycloalkyl) O -2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl(Me, Et, N-Pr or i-Pr) Phosphonites and corresponding alkylated or protonated Salts. e.g. QL: O-Ethyl O-2-diisopropylaminoethylmethyl phosphonite	(57856-11-8)
11. Chlorosarin: O-Isopropyl methylphosphonochloride	(1445-76-7)
12. Chlorosoman: O-Pinacoly lmethylphosphonochloride	(7040-57-5)

(Appendices 'B' to 'G' NOT reproduced)

**NEELAM S. ALI
DEPUTY SECRETARY**